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REMARKS

This Application has been carefully reviewed in light of the Office Action. Applicants appreciate the Examiner's consideration of the Application. In order to advance prosecution of this Application, Applicants have responded to each notation by the Examiner. Applicants respectfully request reconsideration and favorable action in this case.

Section 103(a) Rejection

The Examiner rejects 35 U.S.C. § 103(a): Claims 1, 9, 17, and 25 over U.S. Patent No. 6,694,396 issued to Salmi ("*Salmi*") and U.S. Patent No. 6,708,206 issued to Thrane et al. ("*Thrane*"); Claims 2-4, 6, 7, 10-12, 14, 15, 18-20, 22, 23, 26-28, 30, and 31 over *Salmi*, *Thrane*, and Patent No. 6,119,014 issued to Alperovich et al. ("*Alperovich*"); and Claims 8, 16, 24, and 32 over *Salmi*, *Thrane*, *Alperovich*, and U.S. Patent Application Publication No. 2001/0041571A1 filed by Yuan ("*Yuan*"). Applicants respectfully traverse this rejection for the reasons discussed below.

Applicants respectfully submit that the combinations of references proposed by the Examiner fails to disclose, teach, or suggest elements specifically recited in Applicants' claims. For example, the proposed *Salmi-Thrane* combination fails to disclose, teach, or suggest the following recited in independent Claim 1:

> receiving an out-of-band message at a mobile unit hosting a session, the message comprising pushed data and an indicator, the pushed data reflecting that a server initiated data transfer that is based on predetermined criteria, the indicator indicating whether the pushed data is destined for the session; and
> filtering data to post only selected data to the session by:
> determining, from the indicator, whether the data is appropriate for the session currently being hosted by the mobile unit;
> posting the data to the session if the data is appropriate for the session; and
> discarding the data if the data is not appropriate for the session.

Salmi teaches that a terminal does not receive information if it does not allow the information:

> ... In the terminal, the steps include checking the informed filtering parameter and allowing or preventing the receiving of the electronic information on the basis of the filtering parameter. In response to allowing receiving, the electronic information is transferred to the terminal through the telecommunication connection, and in response to preventing of the receiving,

the electronic information is not transferred to the terminal through the telecommunication connection.

(*Salmi*, Abstract.) That is, *Salmi* teaches if a terminal does not allow information, then it **does not receive the information.** Accordingly, *Salmi* teaches fails to disclose, teach, or suggest "receiving an out-of-band message at a mobile unit hosting a session, the message comprising pushed data" and "discarding the data if the data is not appropriate for the session" of Claim 1. *Thrane* fails to remedy this deficiency.

In addition, *Salmi* teaches that user input determines whether to allow messages:

> ... Thus, the user may input into the terminal settings in advance as to into which class (subclass) classified messages it is allowed to receive and into which class (subclass) classified messages it rejects, i.e. refuses to receive. This being the case, the terminal preferably first reads the class information in a notification message that comes separately and if the class in question is closed by a setting, no actual message will be received at all, whereupon a saving is effected in current consumption when no unnecessary message processing is carried out. Alternatively, the terminal first reads the class information in the header of the actual transmitted message and if the class in question is closed by a setting, the latter part of the message will not be received at all, whereupon a saving is also effected in current consumption when no unnecessary message processing is carried out.

(*Salmi*, col. 15, lines 17-32.) That is, *Salmi* teaches that **user input** determines whether to allow messages. Accordingly, *Salmi* teaches fails to disclose, teach, or suggest "receiving an out-of-band message at a mobile unit ..., the message comprising ... an indicator, ..., the indicator indicating whether the pushed data is destined for the session" and "determining, from the indicator, whether the data is appropriate for the session currently being hosted by the mobile unit" of Claim 1. *Thrane* fails to remedy this deficiency.

Thus, the proposed *Salmi-Thrane* combination fails to disclose, teach, or suggest the elements of independent Claim 1. For at least these reasons, independent Claim 1 and its dependent claims are allowable under 35 U.S.C. § 103. For analogous reasons, independent Claims 9, 17, 25, and 33 and their respective dependent claims are allowable under 35 U.S.C. § 103. Accordingly, Applicants respectfully request reconsideration and allowance of all pending claims.

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CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Keiko Ichiye, the Attorney for Applicants, at the Examiner's convenience at (214) 953-6494.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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